
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

March 1, 2022

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held via ZOOM live stream at 7:00 P.M.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Ron.

Also Present: Matthew Hall, Manager
Laurie A. Barton, Borough Clerk
Tara St. Angelo, Attorney and Leslie Parikh, Attorney

Deputy Mayor Conry led everyone in the flag salute and moment of silence for victims of the Ukraine conflict.

Deputy Mayor Conry read the following statement into record:

The requirements of the Open Public Meetings Law, P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Express-Times (Warren County Edition and Star Ledger) and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law

PUBLIC COMMENT

Chris Caruso, brought again before council his desire to open a cannabis retail store and outlined the benefits for the borough to allow such business.

Joseph Krefesky(sp), Lincoln Avenue, asked if people are aware of what is moving into town, is it medical marijuana or recreation use and asked if town has been aware.

Tristan Laferrere (sp), East Washington Ave., stated his support of a dispensary in downtown Washington.

Danielle and Paul Wilcock, Buttermilk Bridge Rd, expressed their support of a dispensary in Washington.

SG (name not given), 12 Prosper Way., supports having a cannabis dispensary.

Ye Al'Krefesky, expressed their displeasure of something like that (cannabis retail store) coming into the borough.

Chris Bauknight, Lenape Trail, supports the dispensary and stated it is good for the borough, building the downtown area and moving forward.

Mel Thiel, BID Executive Director, gave the following report:

Construction of the pavilion in Veterans Park will begin soon.
Taking donations and sponsorship of the pavilion if businesses want to donate.
A sign and flag pole will also be installed.

Hearing no further public comment, motion made by Noone and seconded by Heinrich to close the public portion, all were in favor.

MINUTES

Motion made by Noone and seconded by Heinrich to approve the following minutes.

January 4th & 12th regular minutes (with correction)

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Ron.

Ayes: 6 Nays: 0

Motion passes.

NEW BUSINESS

Appearance from potential Cannabis Retailer-Matthew Bruce

Attorney St. Angelo explained to Mr. Bruce that the borough needs a concept plan which usually entails some sort of drawing of building, parking, and general idea of where the setbacks are. Plan does not need to be a fully engineered site plan just a concept plan.

Attorney St. Angelo asked Mr. Bruce for a survey marking the setbacks from residents for council to see. Mr. Bruce stated he will have this for the next meeting.

Sewer Connection Fees

Manager Hall presented to council the proposed connection fees. Mr. Hall recommends a connection fee of \$6000 for 2022 to be charged to any new construction for new sewer connections in the borough.

Eric Phillips, stated he is a Washington borough resident who is also a small builder and asked that council consider some type of mercy on the connection fee. He is trying to develop a two-family home back on East Stewart Street by the railroad.

ORDINANCES 1st Reading

Motion made by Noone and seconded by Ron to approve on first reading Ordinance 2022-01.

Roll Call: Conry, Cox, Heinrich Noone, Norris and Ron.

Ayes: 6 Nays: 0

Motion passes.

Councilwoman Cox read a statement received from resident, Peter Michel, concerning the following ordinance. Lengthy discussions ensued regarding the term length.

ORDINANCE 2022-01

**BOROUGH OF WASHINGTON
WARREN COUNTY
STATE OF NEW JERSEY**

AN ORDINANCE AMENDING THE TERM OF OFFICE FOR DEPUTY MAYOR

WHEREAS, the Borough of Washington, County of Warren, State of New Jersey is governed by the Council-Manager Plan of government pursuant to N.J.S.A. 40:69A-1 et seq.; and,

WHEREAS, N.J.S.A. 40A:60-3(b) governs Boroughs and permits a Borough to elect a Council president:

At its annual meeting, the council shall, by the vote of a majority of its number, elect a president of the council, who shall preside at all its meetings when the mayor does not preside. The president of the council shall hold office for one year and until the next annual meeting. He shall have the right to debate and vote on all questions before council;

and

WHEREAS, Section 3-7 of the Borough's Ordinances, entitled "Election of Mayor and Deputy Mayor," currently reads:

A. Mayor shall be elected directly by majority vote of the voters of the municipality, and the Mayor shall serve for a period of four years beginning on January 1 next following his or her election.

B. A Deputy Mayor shall be elected as provided by law and shall serve for a term of two years until his successor is elected and qualifies. A Deputy Mayor may not serve two consecutive terms as Deputy Mayor.

and

WHEREAS, a “Deputy Mayor” is consistent with and carries the same responsibilities as “council president,” and is therefore an appropriate appointment to be made by the members of the Council from among their own number; and

WHEREAS, the two-year term of office for the Deputy Mayor in Borough Ordinance 3-7 appears to conflict with N.J.S.A. 40A:60-3(b) regarding the term of office which is noted to be one year; and

WHEREAS, the Governing Body of the Borough of Washington is now desirous to amend Section 3-7 of the Borough Ordinances to reflect the term of office for Deputy Mayor to be one year.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Washington, the County of Warren, as follows:

SECTION 1. Section 3-7 of the Code of the Borough of Washington entitled “Election of Mayor and Deputy Mayor” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~);

- A. Mayor shall be elected directly by majority vote of the voters of the municipality, and the Mayor shall serve for a period of four years beginning on January 1 next following his or her election.
- B. A Deputy Mayor shall be elected as provided by law and shall serve for a term of ~~two years~~ ***one year*** until his ~~a~~ successor is elected and qualifies. ~~A Deputy Mayor may not serve two consecutive terms as Deputy Mayor~~

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

Introduced: March 1, 2022
Public Hearing: April 5, 2022

RESOLUTIONS

Motion made by Noone and seconded by Norris to adopt Resolutions 2022-37 through 2022-48

Roll Call: Conry, Cox, Heinrich Noone, Norris and Ron.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2022-37

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0004 which sale was evidenced by Certificate #20-00009 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,805.27 which is the amount necessary to redeem Tax Sale Certificate #20-00009.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,105.27** (This consists of \$4,805.27 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0004 from the tax office records.

RESOLUTION 2022-38

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal

liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0005 which sale was evidenced by Certificate #20-00010 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00010.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0005 from the tax office records.

RESOLUTION 2022-39

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$1,711.66 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0006 which sale was evidenced by Certificate #20-00011 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$6,437.36 which is the amount necessary to redeem Tax Sale Certificate #20-00011.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,737.36** (This consists of \$6,437.36 Certificate Amount redeemed + \$2,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0006 from the tax office records.

RESOLUTION 2022-40

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of

Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0007 which sale was evidenced by Certificate #20-00012 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00012.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0007 from the tax office records.

RESOLUTION 2022-41
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0008 which sale was evidenced by Certificate #20-00013 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00013.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0008 from the tax office records.

RESOLUTION 2022-42
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of

Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0009 which sale was evidenced by Certificate #20-00014 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00014.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0009 from the tax office records.

RESOLUTION 2022-43
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0010 which sale was evidenced by Certificate #20-00015 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00015.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0010 from the tax office records.

RESOLUTION 2022-44
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of

Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$546.94 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0011 which sale was evidenced by Certificate #20-00016 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$5,060.70 which is the amount necessary to redeem Tax Sale Certificate #20-00016.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,560.70** (This consists of \$5,060.70 Certificate Amount redeemed + \$3,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0011 from the tax office records.

RESOLUTION 2022-45
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0012 which sale was evidenced by Certificate #20-00017 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00017.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0012 from the tax office records.

RESOLUTION 2022-46
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0013 which sale was evidenced by Certificate #20-00018 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00018.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0013 from the tax office records.

**RESOLUTION 2022-47
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0014 which sale was evidenced by Certificate #20-00019 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00019.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0014 from the tax office records.

**RESOLUTION 2022-48
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 22, 2020 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$522.08 for taxes or other municipal liens assessed for the year 2019 in the name of WASHINGTON CONDOS, LLC as supposed owner, and in said assessment and sale were described as 2-4 E WASHINGTON AVE, Block 24 Lot 34 Qual C0015 which sale was evidenced by Certificate #20-00020 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2/9/2022 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,807.66 which is the amount necessary to redeem Tax Sale Certificate #20-00020.

NOW THEREFORE BE IT RESOLVED, on this 1st day of March, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$8,107.66** (This consists of \$4,807.66 Certificate Amount redeemed + \$3,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 34 Qual C0015 from the tax office records.

Motion made by Heinrich and seconded by Norris to adopt Resolution 2022-36

Roll Call: Conry, Cox, Heinrich Noone, Norris and Ron.
Ayes: 5 Nays: 1 (Cox) Abstain 1 (Ron)
Motion passes.

**BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY**

RESOLUTION 2022-36

RESOLUTION APPOINTING SPECIAL COUNSEL

WHEREAS, there exists a need for the performance of legal services for the Borough due to a matter which has presented a conflict for existing counsel, Leslie A. Parikh, Esq; and

WHEREAS, funds are, or will be made, available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of an attorney without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of

Washington, Warren County, New Jersey, as follows:

1. Frank Whittlesey, Esq. is hereby appointed to serve as special counsel for the Borough of Washington and will perform an investigation in connection with certain complaints made against an existing council member by another council member and an employee.
2. The Governing Body enter into a mutually agreeable written compensation agreement with said Attorney at an hourly rate of \$150.00.
3. This Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

Motion made by Noone and seconded by Norris to adopt Resolution 2022-49

Roll Call: Conry, Cox, Heinrich Noone, Norris and Ron.
Ayes: 6 Nays: 0
Motion passes.

RESOLUTION 2022-49

A RESOLUTION AUTHORIZING THE TRANSFER OF RESERVE APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made by not less the 2/3 vote of the full membership of the governing body from unexpended balances which are expected to be sufficient to accounts with insufficient appropriation balances during the first three months of the succeeding year; and

WHEREAS, the Borough Manager and the Chief Financial Officer have determined that excess appropriations do exist in some accounts and there is a need for supplemental appropriations in other accounts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following appropriation transfers are hereby approved:

<u>Transfer From:</u>	<u>Transfer To:</u>	<u>Amount:</u>
TAX COLLECTION Other Expenses	FIRE HYDRANTS Other Expenses	\$4,000.00
TAX COLLECTION Other Expenses	BUILDING AND GROUNDS Other Expenses	\$5,000.00

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Norris to pay vouchers and claims.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Ron.

Ayes: 5 Nays: 1 (Cox)

Motion passes.

COUNCIL REMARKS

Councilman Norris gave the following remarks:

- Inquired about the exit at Taco Bell and asked if should only be a right hand turn out of Taco Bell and not allow left hand turns.
- Inquired about annual sewer report of what was collected.
- Inquired about parking spaces behind Taco Bell for having 14 spots available.

EXECUTIVE SESSION

Motion made by Heinrich and seconded by Noone to enter into executive session for contract negotiations and potential litigation all were in favor.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss potential litigation and cannabis standards Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion made by Noone and seconded by Norris to return to regular session at 9:53 p.m., all were in favor. *Cox not present at return to regular session.*

Motion

Motion made by Noone and seconded by Heinrich to approve on first reading Ordinance 2022-02.

Roll Call: Conry, Heinrich Noone, Norris and Ron.

Ayes: 5 Nays: 0
Motion passes

**BOROUGH OF WASHINGTON
COUNTY OF WARREN, NEW JERSEY
ORDINANCE 2022-02**

AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING STANDARDS CONCERNING CANNABIS
RETAIL ESTABLISHMENTS OF THE BOROUGH CODE

WHEREAS, the Borough Council permitted cannabis operations via Ordinance 2021-07; and

WHEREAS, in reviewing Ordinance 2021-07, the Borough Council realized that the setback requirements from school, religious, and residential uses were too stringent and effectively prohibit cannabis retailers from locating within the Borough; and

WHEREAS, the Borough's Planner further recommended that additional provisions be added in order to ensure adequate space for parking and delivery and provide for adequate traffic circulation; and

WHEREAS, after consultation with the Borough Planner, the Borough Council wishes to amend the standards associated with Cannabis Retailers and delivery services; and

WHEREAS, the Borough Planner also recommended that cannabis retailers be required to provide for stormwater management onsite; and

NOW, THEREFORE, BE IT ORDAINED, by the Deputy Mayor and Council of the Borough of Washington, County of Warren, that the Code of the Borough of Washington be amended as follows:

SECTION 1. Section 94-86.3 F entitled "**Cannabis Retailers**" of the Borough Code is hereby amended as follows (additions noted in bold italics thus and deletions noted with strikethrough ~~thus~~):

F. Cannabis Retailers are permitted in the B-1 and B-2 Districts, subject to the following conditions:

- (1) Proof that the operator maintains all valid State of New Jersey licenses and approvals, and that all such licenses and/or approvals remain in good standing pursuant to the CREAMMA.
- (2) Compliance with the height, setback and other applicable requirements of the zone district in which they are located.
- (3) **Issuance of zoning permit and site plan approval by the Land Use Board.** The application for site plan approval shall include a traffic impact assessment prepared by a New Jersey licensed professional engineer having appropriate experience and education. The traffic impact assessment shall provide a description of the impact and effect of the proposed Cannabis Retailer upon all roads which are adjacent to or immediately affected by traffic and shall specifically address the following items:
 - (a) Existing conditions in the vicinity of the proposed project including: the roadway network, representative traffic counts, not during holiday or summer periods (or with appropriate statistical adjustments for counts during the summer months), traffic accident statistics, availability of public transportation, level of service of adjacent roadways.

- (b) Traffic generated by the proposed development including, trip generation, trip distribution, modal split, level of service under proposed conditions.
- (c) Traffic impacts caused by the proposed development.
- (d) Recommendations for alleviating or diminishing any possible congestion or disruption to the established traffic pattern.
- (e) Any other information requested by the Land Use Board reasonably required to make an informed assessment of potential traffic impacts.

(4) Limitation of Number of Cannabis Retailers within the Borough.

- (a) A maximum of two (2) Cannabis Retailers shall be permitted within the Borough. This limitation is inclusive of Medical Cannabis Dispensaries and Alternative Treatment Centers.
- (b) In the event multiple land use applications for Cannabis Retailers are submitted to the Borough in close proximity to one another, and if the applications comply with all the requirements of this chapter and the Act, the Borough is not permitted to approve all of the applications because of the limitations set forth in this subsection. The Borough shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the Borough Planner or Zoning Officer.

(5) Location of Cannabis Retailers.

- ~~(a) No Cannabis Retailer shall be located within 1,500 feet from any other Cannabis Retailer, excluding Alternative Treatment Centers and Medical Cannabis Dispensaries only selling Medical Cannabis, which shall be generally measured from the subject property line to property line.~~
- (a) Cannabis Retailers shall not be located ~~within a Drug-Free School Zone (i.e. within 1,000 feet of~~**adjacent to** school property used for school purposes which is owned by or leased to any **public or private** elementary or secondary school or school board.
- (b) Cannabis Retailers **located adjacent to properties currently used for residential purposes (regardless of zoning district) or residential zones (i.e. the R-1, R-2, R-3, R-4, R-6, and AR-7 Districts), shall be required to provide a minimum landscaped buffer in accordance with §94-40 Buffers. A solid fence not to exceed 6-feet in height may be incorporated into the buffer, provided the fence is located interior to the required buffer. In no event shall a buffer be less than 20 feet.** ~~not be located within 500 feet of property used for residential purposes at the time of application or property zoned primarily for single family residential use (i.e. the R-1, R-2, R-3, R-4, R-6, and AR-7 Districts).~~
- ~~(a) Cannabis Retailers shall not be located within 500 feet of a church or house of worship.~~

~~(b) In the event land use applications for Cannabis Retailers that are within 1,500 feet of one another are submitted to the Borough in close proximity to one another, and if the applications comply with all the requirements of this chapter and the Act, the Borough is not permitted to approve all of the applications because of the limitations set forth in this subsection. The Borough shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the Borough Planner or Zoning Officer.~~

(6) **Hours of Operation.** Limit their hours of operation from 9:00 a.m. to 9:00 p.m., Monday to Sunday, or as otherwise provided for within a special use permit.

(7) **Security.** Secured in accordance with all applicable provisions as defined in the Act and outlined in Section 94-86.3(H)(3).

(8) **Storage of Product.** The storage or possession of cannabis or cannabis paraphernalia within a building or unit must not be perceptible from the exterior of the building or unit from a street or residential use. Cannabis plants, products, accessories, and associated paraphernalia contained in any Cannabis Establishment shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. All products and accessories shall be stored completely indoors and on-site in accordance with the Act and the Permitting Authority regulations.

(9) **Signage.** External signage, including window signage, must be limited to text identifying the business and the logo for the business, provided that said logo does not include a cannabis plant leaf, cannabis paraphernalia, and / or outward glorification of cannabis consumption. All other Borough sign regulations must be complied with.

(10) **Cannabis Consumption Areas.** Use or consumption of marijuana or cannabis in any manner shall not be permitted within the Cannabis Retailer's facility, whether in the building or on its grounds or parking lots. Cannabis Consumption Areas are not permitted.

(11) Drive-thru facilities are not permitted.

(12) **Parking and Circulation.**

(a) Off-street parking shall be provided consistent with the zone in which the Cannabis Retailer is located and Borough Code Section 94-53. Parking for Cannabis Retailers shall be provided for as retail stores. Parking spaces may be reserved for the exclusive use of delivery vehicles.

(b) Parking areas shall be setback a minimum of 20 feet from all lot lines, unless adjacent to parking areas where adjoining properties have access easements.

(c) Ingress and egress to the cannabis retailer shall be provided by Route 31 or Washington Avenue. In no event shall side streets be permitted to provide access. This condition shall not apply to access required for emergency vehicles.

(d) A minimum of one loading and unloading space shall be provided on site for the

purpose of receiving wholesale deliveries.

(e) Additional parking spaces (over and above the required parking for the use in the applicable zoning district) for delivery vehicles may be reserved and provided.

(13) Additional Standards for Cannabis Retailers

(a) Stormwater management shall be provided utilizing NJDEP's best management practices.

(b) In no event shall lighting, including lighting for security, be permitted to spill over onto adjacent residential properties or zones.

(c) Unusual odors, smells, fragrance, or other olfactory stimulants shall be prohibited. Odor mitigation filtration systems must be installed and maintained in perfect working order.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. The Borough is hereby directed, upon adoption of this ordinance after public hearing, to publish notice of the passage thereof and to file a copy of this ordinance with the Warren County Planning Board as required by N.J.S.A. 40:55D-16.

SECTION 5. This Ordinance shall take effect upon final passage, publication, and filing with the Warren County Planning Board, all in accordance with the law.

Introduced: March 1, 2022

Public Hearing/Adoption: April 5, 2022

Deputy mayor announced that council meetings will return to in-person in April.

ADJOURN

Hearing no further business to come before Council, motion made by and seconded by to adjourn the meeting at 9:54 PM, all were in favor.

Laurie A. Barton, RMC
Borough Clerk